

SHER TREMONTE LLP

November 30, 2020

**BY ECF**

The Honorable Paul A. Engelmayer  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re:    *United States v. Ari Teman*  
      Case No. 19-cr-696 (PAE)**

Dear Judge Engelmayer:

We write on behalf of our client, Ari Teman, to advise the Court regarding restitution in advance tomorrow's sentencing proceeding. As the Court is aware, the Probation Department has calculated a restitution award of \$259,988.17 in this case. Mr. Teman has gathered his own funds and borrowed money in order to obtain that amount and, as of today, has arranged for all such funds to be transferred to our firm's IOLTA account. Mr. Teman has authorized us to pay restitution from our IOLTA account at the appropriate time.

We note, however, that earlier today the government filed a letter suggesting a lesser restitution amount<sup>1</sup> based on information provided to the government by Bank of America. We have written to the government with questions regarding the government's new calculation and for discovery of the documents underlying this information, and we hope to obtain an answer in advance of sentencing. In any event, Mr. Teman is prepared to make a restitution payment up to the original amount calculated by the Probation Department following entry of the judgment.

Respectfully submitted,

/s/  
Justine Harris  
Noam Biale

cc:    All Counsel of Record

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<sup>1</sup>       The government has provided its calculation as a "forfeiture" amount, but because it did not present the forfeiture count to the jury and Mr. Teman did not waive his right to such presentation, *see* Trial Tr. 877, the government may not seek forfeiture.